

**CITY OF AUSTIN**  
**Board of Adjustment/Sign Review Board**  
**Decision Sheet**

**DATE: Monday, November 14, 2011**

**CASE NUMBER: C15-2011-0111**

☐ N ☐ Jeff Jack  
☐ Y ☐ Michael Von Ohlen **2<sup>nd</sup> the Motion**  
☐ Y ☐ Nora Salinas  
☐ N ☐ Bryan King  
☐ N ☐ Susan Morrison  
☐ Y ☐ Melissa Hawthorne **Motion to PP 12-12-11**  
☐ A ☐ Heidi Goebel (ABSENT)  
☐ - ☐ Cathy French (SRB only)  
☐ Y ☐ Will Schnier

**APPLICANT: Terry S., Welch**

**OWNER: James S Raney**

**ADDRESS: 4403 LONG CHAMP DR**

**VARIANCE REQUESTED:** The applicant has requested a variance to exceed the maximum impervious coverage requirement of Section 25-2-492 (D) from 40% (42% existing) to 46% in order to erect a two story addition to an existing residence in an "SF-1", Single Family Residence Large Lot zoning district.

**BOARD'S DECISION:** The public hearing was closed on Board Member Melissa Hawthorne motion to Postpone to December 12, 2011 (for better findings), Board Member Michael Von Ohlen second on a 4-3 vote (Board members Jeff Jack, Bryan King, Susan Morrison nay); **POSTPONED TO December 12, 2011 (FOR BETTER FINDINGS).**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:  
  
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

\_\_\_\_\_  
Susan Walker  
Executive Liaison

\_\_\_\_\_  
Jeff Jack  
Chairman

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need all). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2011-0111  
ROW # 10659456

CITY OF AUSTIN TP-0133130207  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 4403 Long Champ Drive

LEGAL DESCRIPTION: Subdivision - Davenport Ranch Phase 3, Section 1/1A

Lot(s)    L    Block    Outlot    Division   

I/We Terry S. Welch on behalf of myself/ourselves as authorized agent for

Mr. and Mrs. James Raney affirm that  
on Sept. 19, 2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

   ERECT X ATTACH    COMPLETE    REMODEL    MAINTAIN

A two story addition to an existing residence.

4070 → 46% i.c.

in a SF-1 district.  
(zoning district)

**NOTE:** The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

-The existing maximum impervious cover of 40% does not allow for an addition of the proposed Studio / Home Office and Master Bedroom Suite with the existing 42% impervious cover of the site. Studio / Home Office and Bedrooms are allowable residential uses in SF-1 Zoning districts.

Formatted

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The existing residence as constructed in 1989 is the smallest in the immediate area at 3,039 SF and was constructed prior to annexation in 1997. The requested increase in impervious cover is to allow 46% in lieu of the existing 42% and allowed 40%. Many adjacent existing properties exceed the allowable 40%. 4306 Long Champ Drive has an IC of 55% and 4209 Long Champ Drive has an IC of 57%. Other adjacent properties are greater than 70% (+/-).

- 
- (b) The hardship is not general to the area in which the property is located because:

This property shares a common property line with the Austin Country Club Golf Course and a rear property line to the Estates Lots on Churchill Downs.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

—The proposed addition is to the rear yard area of the property. Only the second floor level of the addition will be visible from the street and the majority of the adjacent properties are two story residences. The site slope is less than 15% and the site slopes toward the adjacent golf course.

Formatted:

---

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

- 
2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

- 
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

- 
4. The variance will run with the use or uses to which it pertains and shall not run with the site because:
-

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

---

---

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

---

---

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

---

---

**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Terry S. Welch Mail Address 3914 DRY CREEK DRIVE  
City, State & Zip AUSTIN, TEXAS 78731

Printed TERRY S. WELCH Phone 458-9800 Date SEPT. 19, 2011

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

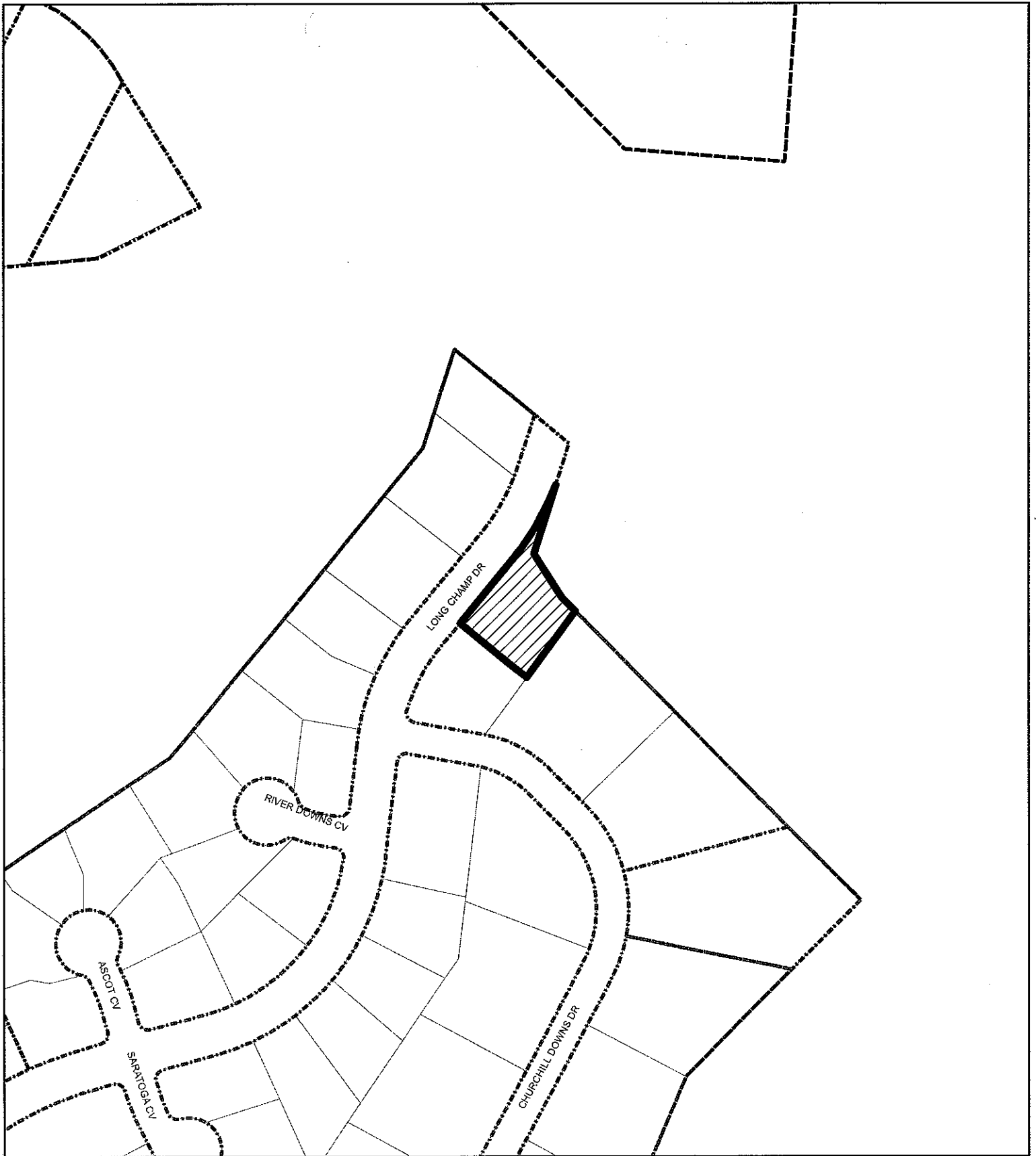
Signed James S. Raney Mail Address 4403 LONG CHAMP DR.  
City, State & Zip AUSTIN, TEXAS 78746

Printed JAMES S. RANEY Phone 347-9757 Date SEPT. 19, 2011

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

**VARIANCE REQUIREMENTS:**



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2011-0111  
LOCATION: 4403 Long Champ Drive



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

October 21, 2011

City of Austin  
Watershed Protection and Development Review Department  
Board of Adjustment  
505 Barton Springs Road  
Austin, Texas 78767-8835

RE: 4403 Long Champ Drive, Austin, Texas - Variance Request for Maximum 46% Impervious Cover, C15-2011-0111.

**Property History:**

- Davenport Ranch, Phase 3, Section 1A (Lot L), C8-82-28.1 (83), Approved May 3, 1983.
- Residence Construction: Completed May 1989 by Argisinger & Reissig.
- Purchased by Mr. and Mrs. James Raney, *September 2002*.
- Full Purpose Annexation, City of Austin, *December 31, 1997*.

**Reasonable Use:**

- The Land Development Code Impervious Cover restrictions, imposed on this property after the construction, would deprive the owner of the privilege to have a proper home studio office space and master bedroom. This is a reasonable and a common use within a residence.
- The granting of this variance does not create inconsistencies in the neighboring residential properties. Several neighboring properties have impervious cover exceeding 50%.
- The addition of the studio office / master bedroom is essential for the owner, as the existing residence does not have a practical area for this use.

**Hardship:**

- The owner requires an area to organize and conduct their activities. The lack of this home studio office space creates a hardship for the owner and the granting of this variance will allow the owner to construct an attached studio office and master bedroom addition to the property.
- The Lot configuration is unique to the adjacent Long Champ properties with several physical constraints that existed when the property was purchased.
  - The Front Yard Building Setback Line established by the Subdivision Plat is thirty-five (35) feet, which is greater than that required by the Land Development Code, twenty-five (25) feet. The Front Yard Setback area is 6,972 S.F. or 35% of the Lot Area.
  - The location of the existing garage as developed by the builder is in accordance with the Davenport Ranch Subdivision Restrictions requiring the front of the garage be located a minimum of sixty-five (65) feet from the front property line.
  - The size of the Lot in conjunction with the Subdivision Restrictions creates a disproportional amount of existing Building (54%) to existing Paving / Driveway (46%) Impervious Cover of the total existing Impervious Cover (100%).
- The existing Building Impervious Cover is 3,953.6 Sq. Ft. (19.8%) plus the proposed addition Building Impervious Cover of 750.0 Sq. Ft. (3.8%) results in a proposed total Building Impervious Cover of 4,703.6 Sq. Ft. or 23.6%. The allowable Maximum Building Impervious Cover is 35%.

- The proposed addition includes removing 482.5 Sq. Ft. of Paving (Walks and Swimming Pool) Impervious Cover and adding back 750 Sq. Ft. (Addition). This is a total proposed Impervious Cover from 44.9%. The existing Impervious Cover is 42%. A maximum Impervious Cover of 46% is requested.

**Area Character:**

- An approval of the variance will not alter the character of the area adjacent to the property.
  - The proposed addition to the residence is to the rear and will not be visible from the street except for the second level behind the existing garage.
  - The proposed total Impervious Cover is not out of character with the adjacent properties. The adjacent properties have similar or greater amounts of Impervious Cover on similar sized or larger lots. The Impervious Cover amount at 4306 Long Champ Drive is 55% percent (2011-039084 PR) and 4209 Long Champ Drive is 57% (C15-2002-063).
  - The majority of the Long Champ Drive properties with their driveway approaches on and fronting Long Champ Drive either have circular drives or motor court entries. The circular drive is an area characteristic and is not practical for removal consideration.
  - The proposed construction will not create a storm water drainage hazard to the adjacent properties. The site is adjacent to the Austin Country Club golf course to the northeast and the minimal slope of the lot (less than 15%) is from the southwest (right side of the property) to the northeast (left side of property).

Granting this Variance request to the Land Development Code Section 25-2-492(D) allows the owner the reasonable use of their property enjoyed by the adjacent property owners, addresses a specific and unique hardship imposed by the physical restraints of the property created prior to ownership and by annexation, and does not alter the area character of the adjacent properties and neighborhood. Please approve this variance request for an impervious coverage of 46%.

Thank you for your consideration.

Respectfully submitted,



Terry S. Welch, Architect

attachments: Mr. and Mrs. James Raney Request Letter.  
 Site Photos --  
     4403 Long Champ Drive COA Aerial  
     4403 Long Champ Drive Street Elevation  
     4209 Long Champ Drive COA Aerial  
     4209 Long Champ Drive Street Elevation  
     4306 Long Champ Drive COA Aerial  
     4306 Long Champ Drive Street Elevation  
 City of Austin Variance Case No. C15-2002-063 Decision Sheet, 4209 Long Champ Drive



October 19, 2011

City of Austin  
Watershed Protection and Development Review Board  
Board of Adjustment

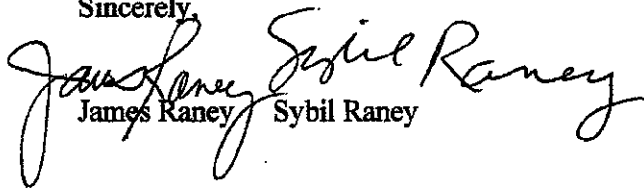
Dear Sirs,

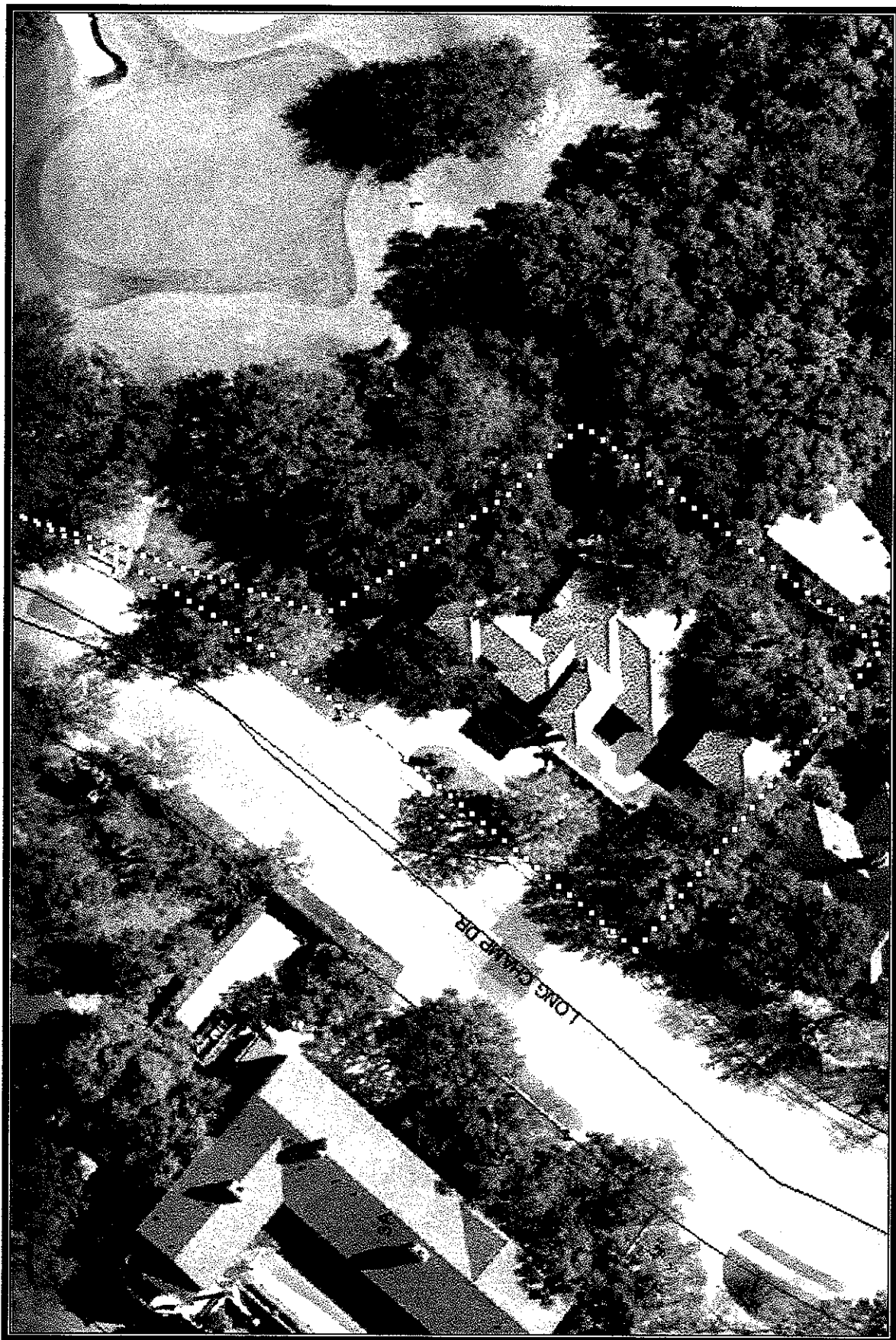
We live at 4403 Long Champ Drive, Austin, Texas. We are planning an addition to our residence. The addition will be integrated into our existing house and will include a studio/office and master bedroom. It is important for us at this stage of our lives to have the ability for each of us to have a proper office space to continue our writing and business consulting activities. Also, we are planning in the future to take our elderly parents into our home and this will be a hardship without the extra room.

The variance request is for maximum impervious cover of 46%, although over the allowed 40%, this seems reasonable in comparison to the existing houses along Long Champ Drive and the Davenport Ranch area. The new addition will keep the integrity of our house and the neighborhood.

Thank you for your consideration.

Sincerely,

  
James Raney Sybil Raney



4403 LONG CHAMP DRIVE - Lot Impervious Cover 42%, Request Increase to 46%.



4403 Long Champ Drive – Street Elevation (Request 46% IC)



4403 Long Champ Drive – Street Elevation (Request 46% IC)



4403 Long Champ Drive – Street Elevation (Request 46% IC)



4209 LONG CHAMP DRIVE - Lot Impervious Cover 57% (C15-2002-063)





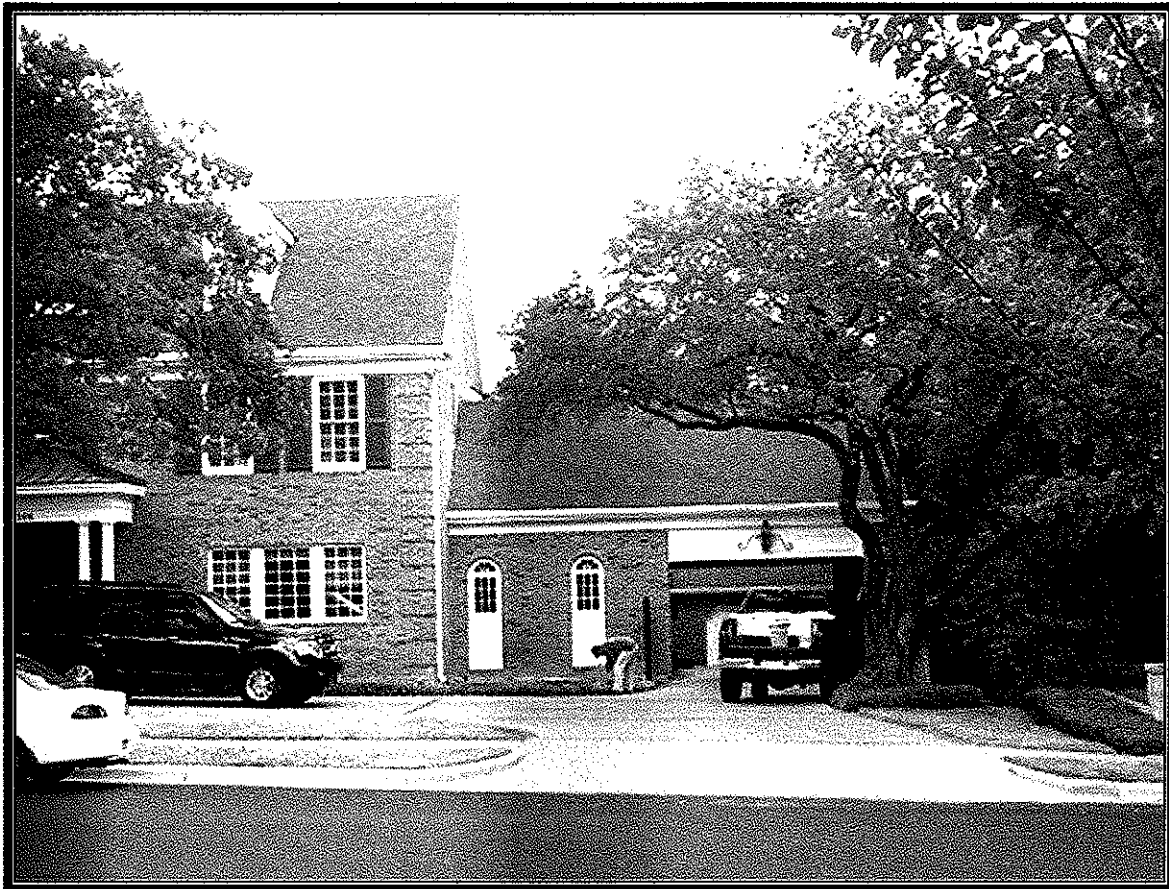
4209 Long Champ Drive – Street Elevation (57% IC)



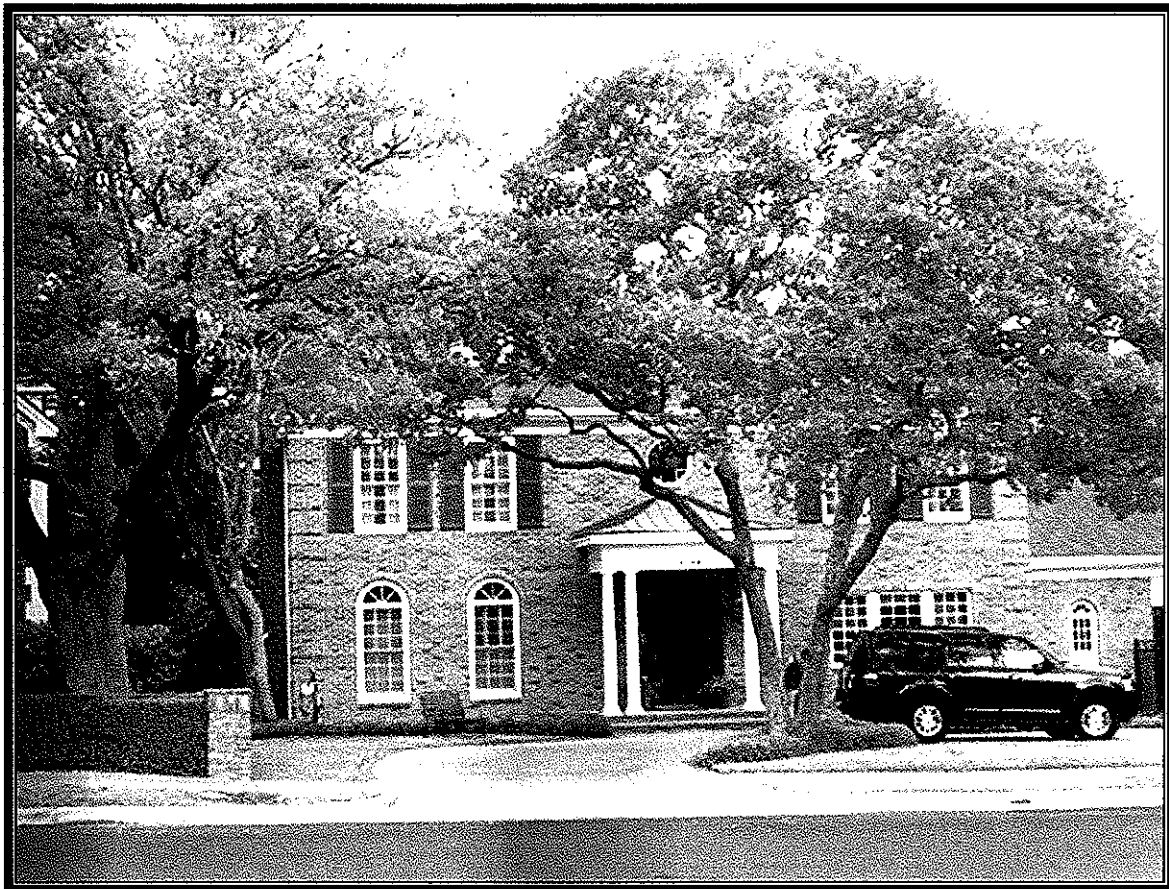
4209 Long Champ Drive – Street Elevation (57% IC)



4306 LONG CHAMP DRIVE - Lot Impervious Cover 55% (2011-039084 PR)



4306 Long Champ Drive – Street Elevation (55% IC)



4306 Long Champ Drive – Street Elevation (55% IC)



**CITY OF AUSTIN  
BOARD OF ADJUSTMENT/SIGN REVIEW BOARD  
DECISION SHEET**

\_\_\_\_Herman Thun    \_\_\_\_Barbara Aybar    \_\_\_\_Frank Fuentes    \_\_\_\_Betty Edgemond  
Chair                      Vice-Chair  
\_\_\_\_Laurie Virkstis    \_\_\_\_W. Penn    \_\_\_\_D. Richter    \_\_\_\_L. Heldenfels    \_\_\_\_L. Vaughn

DATE: May 13, 2002

CASE NUMBER: C15-02-063

APPLICANT: Terry Welch for Dr. and Mrs. John Shore

ADDRESS: 4209 Long Champ Drive

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum impervious coverage requirement of Section 25-2-492(D) from 40% (51.6% existing) to 57.9% in order to erect an addition to an existing single family residence in an "SF-1", Single Family Residence Large Lot zoning district.

BOARD'S DECISION: **GRANTED 4-0** (Thun motion to approve; Fuentes second; Edgemond gone) with condition a water collection pond be added to back yard

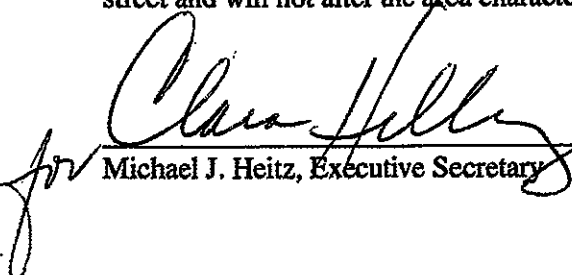
**FINDINGS:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the property was purchased with the office in mind but subdivision was annexed before office built.

2. (a) The hardship for which the variance is requested is unique to the property in that: there is no other location to place the office.

(b) The hardship is not general to the area in which the property is located because: surrounding properties are fully developed with high impervious coverage.

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: the addition will not be seen from the street and will not alter the area character.

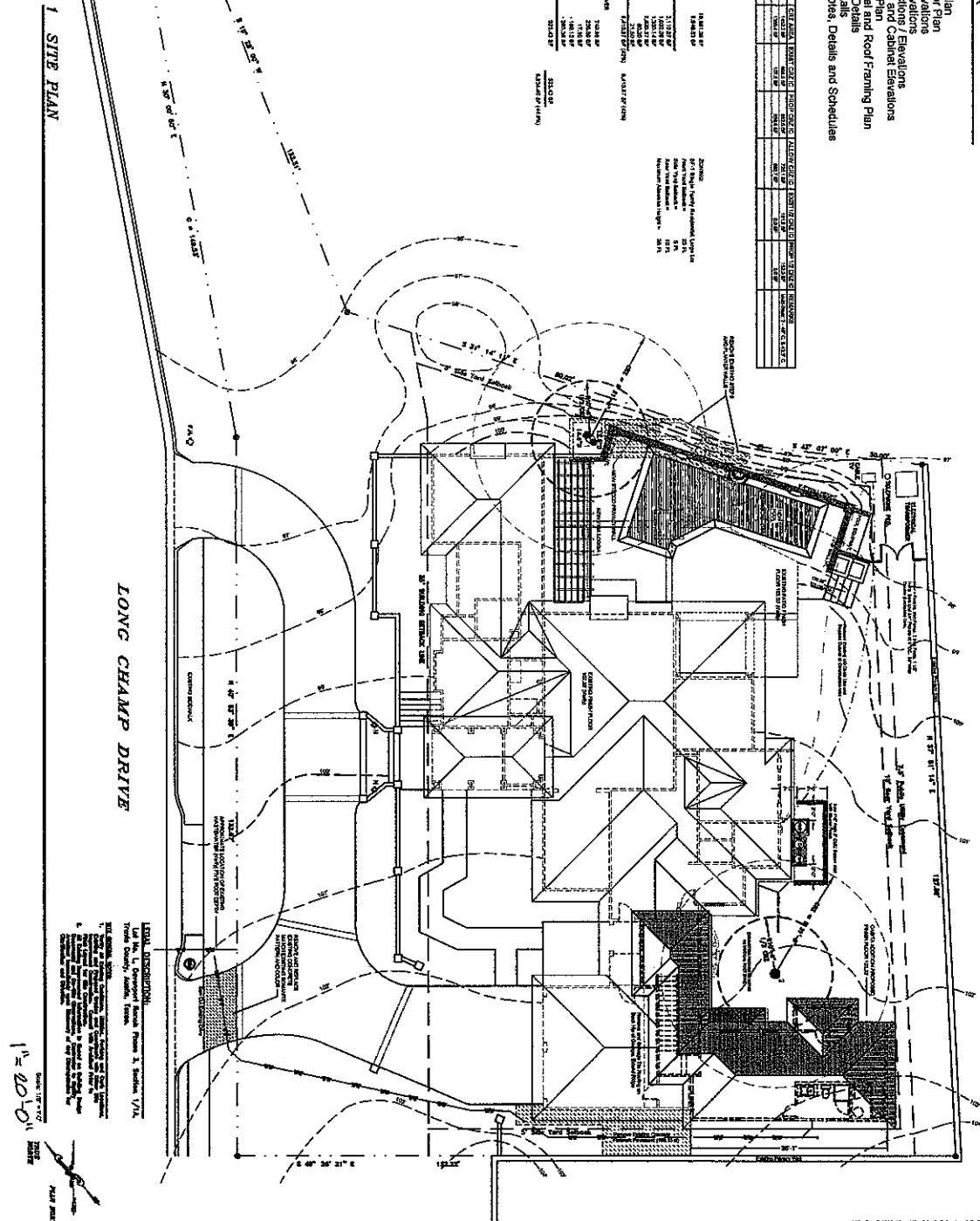
for Michael J. Heitz, Executive Secretary


for Herman Thun, Chairperson

- SP 10 Site Plan
- A 10 First Floor Plan
- A 11 Second Floor Plan
- A 20 Building Elevations
- A 21 Building Elevations
- A 22 Building Sections / Elevations
- A 30 Interior Wall and Cabinet Elevations
- B 1 Foundation Plan
- B 2 Second Level and Roof Framing Plan
- B 3 Foundation Details
- B 4 Framing Details
- C Structural Notes, Details and Schedules

[illegible][illegible]

075 Single Family Residential Large Lot  
Front Yard Substn = 225 Sq.  
Side Yard Substn = 5 Pk.  
Rear Yard Substn = 122 Sq.  
Minimum Accessible Height = 26 Pk.



Sheet SP 1.0 of 12 DATE: 08-26-2011	Project No. 05- Average     Date: August 26, 2011 Name for BAA Reg. 50, 2011 Name for Consent:	ADDITIONS     AND     ALTERATIONS     FOR:	TERRY S. WELCH, ARCHITECT 2914 Dry Creek Drive Austin, Texas 78751     (512) 450-9000	
	Birthdate:	We warrant to our customers that the information contained in this document is true and correct to the best of our knowledge and belief, and that we have not been negligent in our duties. We warrant to our customers that the information contained in this document is true and correct to the best of our knowledge and belief, and that we have not been negligent in our duties.	<u>Mr. and Mrs. James Raney</u> 4403 Long Champ Drive Austin, Texas 78746	